

Message Text

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ACTION OES-05

INFO OCT-01 EA-10 IO-10 ISO-00 FEA-01 ACDA-10 CIAE-00

INR-07 L-02 NSAE-00 NSC-05 EB-07 NRC-07 /065 W

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R 221450Z APR 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 5737

INFO AEC GERMANTOWN

AMEMBASSY TOKYO

UNCLAS IAEA VIENNA 3440

EO 11652: NA

TAGS: IAEA TECH JA

SUBJECT: REMOVAL OF JRR-1 RESEARCH REACTOR FROM INVENTORY OF
US/IAEA/JAPAN TRILATERAL SAFEGUARDS AGREEMENT

REF: AMMONS/GABBERT TWX 101625Z APR 75

1. AS REQUESTED REF TWX, MISSION HAS EXPLORED WITH
AGENCY JAPANESE PROPOSAL TO DELETE JRR-1 REACTOR
AND ASSOCIATED COMPONENTS FROM TRILATERAL INVENTORY.

2. ACCORDING TO AGENCY, JAPANESE INFORMED AGENCY OCTOBER 11,
1971 THAT JRR-1 HAD BEEN DISMANTLED AND THAT IT WAS NOT RPT
NO LONGER USABLE, AND INQUIRED AS TO PROCEDURE FOR DELETING
IT FROM INVENTORY.

3. AGENCY RESPONDED ON OCTOBER 22, 1971, NOTING, INTER
ALIA, THAT JRR-1 WAS SUPPLIED BY U.S. AND LISTED ON
TRILATERAL INVENTORY AS CONSEQUENCE OF U.S. REQUIREMENTS
FOR SUCH SUPPLY AND AS A RESULT OF U.S./JAPAN JOINT
NOTIFICATION THEREOF. AGENCY SUGGESTED THAT REMAINING
JRR-1 REACTOR COMPONENTS MIGHT BE "DEEMED TO HAVE
BEEN RETURNED TO U.S." AND DELETED FROM INVENTORY
PURSUANT TO SECTION 14 (B) OF TRILATERAL, AND THAT
THIS SUGGESTION, IF ACCEPTABLE SHOULD BE PURSUED WITH
U.S. AUTHORITIES. AGENCY UNDERSTANDS JAPANESE HAVE
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DISCUSSED MATTER WITH USAEC (ERDA) SCIREP, BUT IS

UNAWARE OF ANY CONCLUSIONS REACHED.

4. MISSION NOTES THAT INFCIRC/66/REV.2 IS SILENT WITH RESPECT TO PROCEDURES FOR TERMINATING SAFEGUARDS ON PRINCIPAL NUCLEAR FACILITIES OR EQUIPMENT, ALTHOUGH PARA 26 (C) REFERS TO TERMINATION OF SAFEGUARDS ON NUCLEAR MATERIAL WHEN "AGENCY HAS DETERMINED THAT IT HAS BEEN CONSUMED, OR HAS BEEN DILUTED IN SUCH A WAY THAT IT IS NO LONGER USEABLE FOR ANY NUCLEAR ACTIVITY RELEVANT FROM THE POINT OF VIEW OF SAFEGUARDS, OR HAS BECOME PRACTICALLY IRRECOVERABLE".

5. MOREOVER, MISSION NOTES THAT SECTION 20 OF U.S./IAEA/ JAPAN TRILATERAL STATES THAT "THE TWO GOVERNMENTS AND THE AGENCY SHALL AGREE ON THE DONCIDIIONS FOR EXEMPTION, SUSPENSION OR TERMINATION OF SAFEGUARDS NOT COVERED BY SECTIONS 18 AND 19."

6. IF U.S. IS PREPARED TO HAVE JRR-1 COMPONENTS DELETED FROM SAFEGUARDS, I.E., THAT THEY ARE NO RPT NOT LONGER SUBJECT TO U.S./JAPAN BILATERAL AGREEMENT FOR COOPERATION, WE SUGGEST THAT CONSIDERATION ALSO BE GIVEN TO USING SECTION 20 OF TRILATERAL FOR DOING IT, MAKING CASE TO AGENCY THAT, WHILE PARA 26 (C) OF INFCIRC/66/REV. 2 REFERS ONLY TO NUCLEAR MATERIALS, THE SAME PRINCIPLES EMBODIED IN THAT PARA WOULD SEEM TO APPLY TO THE CASE IN QUESTION. THIS PROCEDURE WOULD BE CLOSER TO REALITY THAN USING SECTION 14 (B) OF TRILATERAL, AS SUGGESTED BY AGENCY, ALTHOUGH WE WOULD AHVE NO RPT NO REASON TO OBJECT IF U.S. PREFERS THAT APPROACH. JOINT NOTIFICATION WOULD BE REQUIRED IN THAT CASE.

7. WHATEVER APPROACH IS USED, HOWEVER, THE BASIC DECISION REQUIRED IS FOR THE U.S. TO CONCLUDE THAT JRR-1 (OR WHAT IS LEFT OF IT) IS NO RPT NO LONGER SUBJECT TO U.S./JAPAN BILATERAL AGREEMENT FOR COOPERATION. LABOWITZ

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